

AGENDA
JUNE 19, 2012 - 6:00 P.M.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING

OPEN MEETING:

SALUTE TO THE FLAG:

ANNOUNCEMENTS:

PRESENTATIONS:

PUBLIC HEARINGS:

PUBLIC COMMENT:

BOARD APPROVAL OF WARRANT:

Fiscal Year 2012/2013 General Fund bills in the amount of \$112,625.09
Fiscal Year 2012/2013 Capital Fund bills in the amount of \$11,401.00
Fiscal Year 2012/2013 Sewer Fund bills in the amount of \$ 377.80
Fiscal Year 2012/2013 Fire Department bills in the amount of \$28,287.71

COMMISSIONER'S REPORTS:

ADIMINISTRATOR'S REPORT:

CHIEF OF POLICE REPORT:

NEW BUSINESS:

OLD BUSINESS:

CORRESPONDENCE:

REQUESTS:

RESOLUTIONS:

RESOLUTION 2012- 83 ~ APPROVAL OF THE JUNE 5, 2012 MINUTES

WHEREAS: Copies of the minutes of the June 5, 2012, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

RESOLUTION 2012 – 84 ~

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Village of Northport , P.I.N. 0760.04 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the Village of Northport desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of PE Design for Highway Safety

NOW, THEREFORE, the Board of Trustees of the Incorporated Village of Northport, duly convened does hereby

RESOLVE, that the Board of Trustees hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Board of Trustees of the Incorporated Village of Northport hereby authorizes the payment in the first instance of 100% of the federal and non-federal share of the cost of PE Design Project work or portions thereof; and it is further

RESOLVED, that the sum of \$7,000.00 is hereby appropriated from budget line; and it is further

RESOLVED, that in the event the full federal and non-federal share of costs of the project exceeds the amount

Appropriated above, the Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Administrator, and it is further

RESOLVED, that the Mayor of the Incorporated Village of Northport be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Incorporated Village of Northport with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within

appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately

RESOLUTION 2012 - 85 ~PROPOSED LOCAL LAW "A" OF 2012

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the ____ day of _____, 2012, to consider the following proposed local law:

LOCAL LAW _____ OF 2012 A LOCAL LAW OF THE VILLAGE OF NORTHPORT TO AMEND THE CODE OF THE VILLAGE OF NORTHPORT TO DELETE IN ITS ENTIRETY CHAPTER 264 SWIMMING POOLS

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

Section 1. Legislative Intent

The Board of Trustees finds that the New York State Building Code, which is in full force and effect in the Incorporated Village of Northport, includes regulations regarding pool enclosure requirements that provide protection to the public equal to or greater than Chapter 264 of the Village Code. Furthermore, the Board finds that the Village is required to adhere to the State Building Code unless unique local conditions can be demonstrated to justify deviations from the State Building Code. Based upon the fact that the pool enclosure requirements set forth in the State Code are sufficient to provide protection to the public, the Board finds that there are no grounds to deviate from the State Building Code.

Section 2. Statutory Authority

This Local Law is adopted pursuant to New York State Village Law and Municipal Home Rule Law.

Section 3. Applicability

The provisions of this Local Law shall apply to all properties located within the territorial limits of the Incorporated Village of Northport.

Section 4. Amendments

Chapter 264 SWIMMING POOLS is hereby deleted in its entirety.

Section 5. **SEQRA**

The Board of Trustees has determined that pursuant to §617.5(c) 20 and 27 of the SEQRA regulations this action of the Village of Northport is "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "adoption of regulations, policies, procedures and local legislative decisions in connection with any Type II action . . ." and therefore, the proposed action of the Village of Northport in this matter is a Type II action and requires no further action pursuant to SEQRA.

Section 6. **Effective Date**

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

The next regular meeting of the Board of Trustees will be on July 17, 2012 at 6:00 p.m.

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch
Village Clerk